

OCT-01-2004 FRI 01:27 PM CONLEY ROSE & TAYON

FAX NO. 5127031250 OCT 04 2004 P. 01

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/31 (02-01)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

CERTIFICATE OF MAILING		NOTICE OF APPEAL	
<p>I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, or via facsimile on the date indicated below.</p> <p>October 1, 2004 Date</p> <p><u>Pamela Gerik</u> Pamela Gerik</p>		Application Number	09/957,468
		Filing Date	09/20/2001
		In re Application of	Nikoonahad et al.
		Group Art Unit	2877
		Examiner Name	Hoa Q. Pham
		Atty Docket Number	5589-02305
		Title	METHODS AND SYSTEMS FOR DETERMINING A CRITICAL DIMENSION, A PRESENCE OF DEFECTS, AND A THIN FILM CHARACTERISTIC OF A SPECIMEN

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 320.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in the application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-3268/5589-02305. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Respectfully submitted,

Ann Marie Mewherter

Ann Marie Mewherter, Reg. No. 50,484
Agent for Applicant(s)

CONLEY ROSE, P.C.
P.O. Box 684908
Austin, TX 78768-4908
(512) 476-1400
Date: October 1, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Received 10/04/04 in CFC